

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES HAYDEN,

Plaintiff,

vs.

2K GAMES, INC. and TAKE-TWO
INTERACTIVE SOFTWARE, INC.,

Defendants.

CASE No. 1:17-cv-02635

Judge Christopher A. Boyko

DECLARATION OF ANDREW ALEXANDER

1. I, Andrew Alexander, submit this Declaration on behalf of James Hayden (“Mr. Hayden” or “Plaintiff”) in support of Motion to Exclude Take-Two’s Third Party Declarants, or Alternatively, To Re-open Discovery to Take Their Depositions.

2. I am an Attorney at the law firm Calfee, Halter & Griswold LLP.

3. Attached as **Ex. A** to this Declaration is a true and correct copy of Defendant’s 2K Games, Inc. and Take-Two Interactive Software, Inc.’s Initial Disclosures, served on May 15, 2018.

4. Attached as **Ex. B** to this Declaration is a true and correct copy of Plaintiff’s First Set of Interrogatories to Take-Two Interactive Software, Inc., served on May 2, 2019.

5. Attached as **Ex. C** to this Declaration is a true and correct copy of excerpts from Defendant Take-Two Interactive Software Inc.’s Seventh Amended Objections and Responses to Plaintiff James Hayden’s First Set of Interrogatories, served on May 14, 2021.

6. Attached as **Ex. D** to this Declaration is a true and correct copy of Email Correspondence from Plaintiff James Hayden's Counsel to Defendant Take-Two's Counsel, on November 4, 2021.

7. Attached as **Ex. E** to this Declaration is a true and correct copy of Email Correspondence from Defendant Take-Two's Counsel to Plaintiff James Hayden's Counsel, on November 9, 2021.

I, Andrew Alexander, declare under penalty of perjury that the foregoing Declaration is true and correct.

Dated: November 23, 2021

/s/ Andrew Alexander

Andrew Alexander